



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**Applicants:** Simon Foote, et al.

**Examiner:** A. K. Chakrabarti

**Serial No.:** 09/424,629

**Art Unit:** 1634

**Filed:** March 13, 2000

**Docket:** 13203

**For:** NUCLEIC ACID DIAGNOSTICS  
BASED ON MASS SPECTROMETRY  
OR MASS SEPARATION AND BASE  
SPECIFIC CLEAVAGE

**Dated:** April 20, 2004

Commissioner for Patents  
Alexandria, VA 22313-1450

**SUPPLEMENTAL DISCLOSURE STATEMENT**

Sir:

In accordance with 37 C.F.R. §§1.97 and 1.98, it is requested that the following references, which are also listed on the attached PTO-1449, be made of record in the above-identified case.

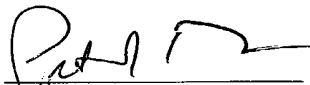
1. Hahner, S., et al. (1997), "Matrix-Assisted Laser Desorption/Ionization Mass Spectrometry (MALDI) of endonuclease digests of RNA", Nucleic Acids Research, 25(10): 1957-1964;

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**CERTIFICATE OF MAILING UNDER C.F.R. §1.8(a)**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 on April 20, 2004.

Dated: April 20, 2004

  
Peter I. Bernstein

04/26/2004 MAHME1 00000039 09424629

01 FC:1806

180.00 OP

2. Liu, Yan-Hui, et al (1995) "Rapid Screening of Genetic Polymorphisms Using Buccal Cell DNA with Detection by Matrix-assisted Laser Desorption/Ionization Mass Spectrometry", Rapid Communications in Mass Spectrometry, 9:735-743;
3. Taranenko, N. I., et al. (1996) "Laser desorption mass spectrometry for point mutation detection", Genetic Analysis: Biomolecular Engineering, 13: 87-94;
4. Nordhoff, E., et al. (1996) "Mass Spectrometry Of Nucleic Acids", Mass Spectrometry Reviews, 15(2): 67-138;
5. Talbo, G., et al. (1996) "Aspects of the Sequencing of Carbohydrates and Oligonucleotides by Matrix-assisted Laser Desorption/Ionization Post-source Decay", Rapid Communications in Mass Spectrometry, 10(1): 100-103;
6. Kaufmann, R., et al. (1996) "Post-source Decay and Delayed Extraction in matrix-assisted Laser Desorption/Ionization-Reflectron Time-of-Flight Mass Spectrometry. Are there Trade-offs?", Rapid Communications in Mass Spectrometry, 10: 1199-1208; and
7. International Patent Application WO 97/03210, published January 30, 1997.

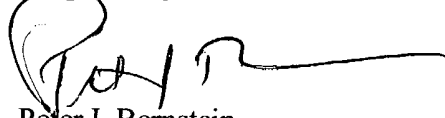
The references were cited in a Search Report dated January 28, 2004 received from the European Patent Office. Applicants are submitting copies of the above-cited references, except Liu et al, together with a copy of the Search Report. A copy of Liu et al. was submitted on October 20, 2000 in the present application, therefore a copy is not enclosed. The relevance of the above-identified references has been described in the Search Report.

Applicants respectfully request that the Examiner acknowledge receipt and review of the above and the references submitted with an Information Disclosure Statement on October 20, 2000 and August 21, 2001, respectively.

Consideration of this Information Disclosure Statement is respectfully requested, since the art provided may be material to the examination of the present application as defined under 37 C.F.R. §1.56.

Inasmuch as this Information Disclosure Statement is being submitted in accordance with the schedule set out in 37 C.F.R§1.97(d), the \$180.00 fee and a statement under §1.97(d)(1) and (e)(1) are enclosed.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Peter I. Bernstein', with a long horizontal flourish extending to the right.

Peter I. Bernstein  
Registration No. 43,497

SCULLY, SCOTT, MURPHY & PRESSER  
400 Garden City Plaza  
Garden City, NY 11530  
(516) 742-4343

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Commissioner for Patents  
Alexandria, VA 22313-1450

**STATEMENT PURSUANT  
TO 37 C.F.R. § 1.97(d)(1) and (e)(1)**

Sir:

I hereby state that each item of information contained in this Information

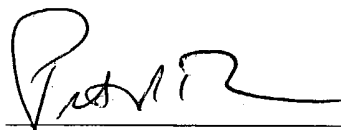
Disclosure Statement was first cited in any communication from a foreign patent office in a  
counterpart foreign application not more than three months prior to the filing of this Information  
Disclosure Statement.

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**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)**

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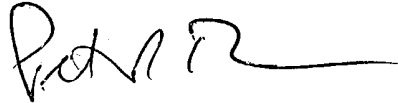
Dated: April 20, 2004

  
Peter I. Bernstein

Accordingly, it is respectfully requested that the accompanying Information

Disclosure Statement be considered with respect to the above-identified application.

Respectfully submitted,

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Peter I. Bernstein

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Form PTO-1449 U.S. DEPARTMENT OF COMMERCE  
(REV. 7-80) PATENT AND TRADEMARK OFFICE

# LIST OF PRIOR ART CITED BY APPLICANT

(Use several sheets if necessary)



Atty. Docket No.  
13203

Serial No.  
09/424,629

Applicant  
Simon Foote, et al.

Filing Date  
March 13, 2000

Group  
1634

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL*	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE (if appropriate)

## FOREIGN PATENT DOCUMENTS

	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
1.	WO 97/03210	1/30/97	PCT				

## OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)

2.	Hahner, S., et al. (1997), "Matrix-Assisted Laser Desorption/Ionization Mass Spectrometry (MALDI) of endonuclease digests of RNA", <u>Nucleic Acids Research</u> , 25(10): 1957-1964
3.	Liu, Yan-Hui, et al (1995) "Rapid Screening of Genetic Polymorphisms Using Buccal Cell DNA with Detection by Matrix-assisted Laser Desorption/Ionization Mass Spectrometry", <u>Rapid Communications in Mass Spectrometry</u> , 9:735-743
4.	Taranenko, N. I., et al. (1996) "Laser desorption mass spectrometry for point mutation detection", <u>Genetic Analysis: Biomolecular Engineering</u> , 13: 87-94
5.	Nordhoff, E., et al. (1996) "Mass Spectrometry Of Nucleic Acids", <u>Mass Spectrometry Reviews</u> , 15(2): 67-138
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EXAMINER

DATE CONSIDERED

\* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT**  
(Under 37 CFR 1.97(d))

Docket No.  
13203

In Re Application Of: Simon Foot et al.

Serial No.

09/424,629

Filing Date

March 13, 2000

Examiner

A. K. Chakrabarti

Group Art Unit

1634

Title: NUCLEIC ACID DIAGNOSTICS BASED ON MASS SPECTROMETRY OR MASS SEPARATION AND BASE SPECIFIC CLEAVAGE

Address to:

Commissioner for Patents

The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(c), and on or before payment of the issue fee, and is accompanied by the Statement as specified in 37 CFR 1.97(e) and the fee set forth in 37 CFR 1.17(p).

☒ A check in the amount of \$180.00 is attached.

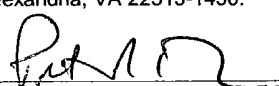
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Signature

Peter I. Bernstein

Registration No. 43,497

Scully, Scott, Murphy & Presser

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Garden City, New York 11530

(516) 742-4343

Dated: April 20, 2004

cc: PIB/XZ:ab

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT**

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APR 23 2004

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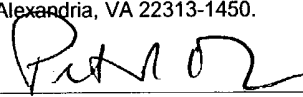
☐ Charge Deposit Account No.

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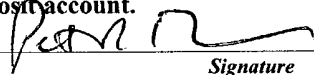
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Peter I. Bernstein	
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Signature

Dated: April 20, 2004

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